

AMENDMENT TO RULES COMMITTEE PRINT 117-

13

OFFERED BY MR. YOUNG OF ALASKA

Add at the end of subtitle A of title XVI the following new section:

1 **SEC. 1609. REQUIREMENT FOR USE OF DOMESTIC SPACE-**
2 **PORTS.**

3 (a) **REQUIREMENT.**—Except as provided by sub-
4 section (b), the Secretary of Defense may only conduct
5 a covered launch from a spaceport or privately owned
6 space launch site that is—

7 (1) located in the United States; and

8 (2) licensed by the Federal Aviation Adminis-
9 tration or on a Federal installation.

10 (b) **WAIVER.**—On a case-by-case basis, the Secretary
11 may waive the requirement under subsection (a) with re-
12 spect to a covered launch if—

13 (1) the Secretary determines that—

14 (A) there is no spaceport or launch site de-
15 scribed in such subsection that can support the
16 required inclination and class of launch vehicle;

17 or

1 (B) there is an urgent and compelling na-
2 tional security requirement to conduct the
3 launch outside the United States; and

4 (2) the Secretary submits to the congressional
5 defense committees a detailed justification of the de-
6 termination under paragraph (1), including—

7 (A) with respect to such a determination
8 under subparagraph (A) of paragraph (1),
9 statements from spaceports located in the
10 United States with respect to the spaceports
11 being either unable to support the launch or de-
12 clining the launch; or

13 (B) with respect to such a determination
14 under subparagraph (B) of paragraph (1), a
15 certification of the urgent and compelling na-
16 tional security requirement.

17 (c) DELEGATION.—The Secretary may not delegate
18 the authority to make a determination under subsection
19 (b)(1)(B) below the level of Under Secretary.

20 (d) DEFINITIONS.—In this section:

21 (1) The term “covered launch” means a launch
22 of the Department of Defense that is suborbital or
23 bound for low Earth orbit, medium Earth orbit, geo-
24 stationary orbit, polar orbit, or cislunar space orbit.

1 (2) The term “State” includes the District of
2 Columbia, Puerto Rico, the Commonwealth of the
3 Northern Mariana Islands, and any territory or pos-
4 session of the United States.

